

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference E2792PWO-Mr/Bi	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/013335	International filing date (<i>day/month/year</i>) 24.11.2004	Priority date (<i>day/month/year</i>) 23.12.2003
International Patent Classification (IPC) or national classification and IPC F21S8/02, F21V14/04, F21V14/02		
Applicant ENGEL, Hartmut, S.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>13</u> sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	CORRECTED VERSION
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013335

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 4-11, 13-19 as originally filed/furnished
- pages* 1-3, 3a-3e, 12 received by this Authority on 27.04.2005 with letter of 27.04.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-6, 8-11 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1, 7, 12-17 received by this Authority on 27.04.2005 with letter of 27.04.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/4-4/4 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013335

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-17	YES
	Claims		NO
Inventive step (IS)	Claims	1-17	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>1. Reference is made to the following document:</p> <p>D1: DE 43 36 023 A1 (ERCO LEUCHTEN GMBH, 58507 LUEDENSCHIED, DE) 6 April 1995 (1995-04-06).</p> <p>2. Document D1 is considered the prior art closest to the subject matter of document D1. It discloses (the references between parentheses relate to D1) a light fitting having a mounting for attachment to a fitting surface, in particular a room ceiling, a lighting means (Q) and a reflector (12), wherein a reflector opening disposed in the direction of lighting defines a direct-light emitting area (UR), which is surrounded by a diffuse-light emitting area (HR) in such a way that all around the direct-light emitting area (UR) scattered light exits from the diffuse-light emitting area (HR), characterized in that the lighting means (Q) and the direct-light reflector (+2) are disposed in a housing (10) at least part of whose interior surface is in the form of an additional reflector (11).</p>			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013335

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
3.	The subject matter of claim 1 therefore differs from the known fitted light in that the housing is closed off in an at least substantially dust-proof manner by a translucent diffuser disc around the diffuse-light emitting area, and by an in particular transparent disc around the direct-light emitting area.
4.	The subject matter of claim 1 is therefore novel (PCT Article 33(2)).
5.	<p>The problem to be solved by the present invention is therefore that of</p> <ul style="list-style-type: none">- reducing the cost of manufacturing the fitted light of document D1 (in particular the manufacturing costs of the additional reflector 11), and- ensuring that in the long term the effectiveness of the light is not impaired by dirt.
6.	The solution to this problem, as proposed in claim 1 of the present application, therefore involves an inventive step (PCT Article 33(3)).
7.	Claims 1-17 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.
8.	Claims 1-17 are industrially applicable.